

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3598

By: Ford

COMMITTEE SUBSTITUTE

An Act relating to criminal procedure; defining terms; directing law enforcement agencies to establish policies and procedures relating to the use, maintenance, and storage of certain cameras; requiring certain policies and procedures; establishing requirements for peace officers who utilize vehicle mounted cameras or wear body cameras; providing for codification; and providing an effective date.

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 23 of Title 22, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Body camera" means a portable electronic recording device that is worn on the person of a peace officer that records audio and video data of the law enforcement-related encounters and activities of the peace officer;

2. "Fixed security camera" means an electronic recording device that is permanently mounted in any location inside the law

1 enforcement agency or within the curtilage of the law enforcement
2 agency that records audio and video data of the law enforcement-
3 related encounters or activities of the law enforcement agency and
4 its employees;

5 3. "Law enforcement agency" means any department or agency of
6 the state, a county, a municipality, or political subdivision
7 thereof, with the duties to maintain public order, make arrests, and
8 enforce the criminal laws of this state or municipal ordinances,
9 which employs CLEET-certified personnel;

10 4. "Peace officer" has the same meaning as such term is defined
11 in Section 99 of Title 21 of the Oklahoma Statutes; and

12 5. "Vehicle mounted camera" means an electronic recording
13 device that is mounted within a vehicle that records audio and video
14 data of the law enforcement-related encounters and activities of the
15 peace officer.

16 B. A law enforcement agency that utilizes fixed security
17 cameras, vehicle mounted cameras, or body cameras shall establish
18 policies and procedures addressing the proper use, maintenance, and
19 storage of the various cameras and the data recorded by the cameras.
20 The policies and procedures shall include:

21 1. General guidelines for the proper use, maintenance, and
22 storage of fixed security cameras, vehicle mounted cameras, and body
23 cameras;

1 2. General guidelines for the proper storage and retention of
2 audio and video data recorded by fixed security cameras, vehicle
3 mounted cameras, and body cameras;

4 3. A policy permitting a peace officer using a fixed security
5 camera, vehicle mounted camera, or body camera to review the
6 recorded footage from the camera, upon his or her own initiative or
7 request, before writing a report or providing a statement regarding
8 any event arising within the scope of his or her official duties.
9 Such policy permitting review of recorded footage by a peace officer
10 shall not be used to delay or deny records requests or public access
11 to recorded footage from such cameras. Any such policy shall not
12 apply to the inherent duty of a peace officer to immediately
13 disclose information necessary to secure an active crime scene or to
14 identify suspects or witnesses; and

15 4. Policies for the proper release of audio and video data
16 recorded by fixed security cameras, vehicle mounted cameras, and
17 body cameras in compliance with the Oklahoma Open Records Act.

18 C. A law enforcement agency that permits its peace officers to
19 utilize vehicle mounted cameras or wear body cameras shall:

20 1. Ensure that all personnel who wear, use, maintain or store
21 vehicle mounted cameras, or body cameras, or release audio or video
22 data recorded by vehicle mounted cameras or body cameras are trained
23 in the policies and procedures of the law enforcement agency;

1 2. Retain audio and video data recorded by vehicle mounted
2 cameras or body cameras in accordance with the requirements of the
3 Oklahoma Open Records Act; and

4 3. Perform periodic reviews of vehicle mounted cameras or body
5 camera practices to ensure conformity with the policies and
6 procedures of the law enforcement agency.

7 SECTION 2. This act shall become effective November 1, 2024.

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9 59-2-10592 GRS 02/28/24